# **Staff Summary Report**



Development Review Commission Date: 05/08/07 Agenda Item Number: \_\_6\_\_

**SUBJECT:** Hold a public hearing for a Use Permit and Development Plan Review for

CIRCLE K CONVENIENCE STORE located at 507 West Broadway Road.

**DOCUMENT NAME:** DRCr\_Circle\_K\_Brdwy\_050807 **PLANNED DEVELOPMENT (0406)** 

**SUPPORTING DOCS**: Yes

COMMENTS: Request for CIRCLE K 507 W. BROADWAY (PL060709) (Glenn Smigiel, SAY

Investments, L.L.C., owner; David Cisiewski, M.D. Partners, L.L.C., applicant) consists of a +/- 4,500 s.f. convenience store with fuel dispensers on +/- 1.55 net acres in the General Industrial District. The request includes the following:

**ZUP07036** – Use Permit to allow a convenience store and fuel distribution

station in the General Industrial District.

**DPR07054** – Development Plan Review including site plan, building

elevations, and landscape plan.

PREPARED BY: Kevin O'Melia, Senior Planner (480-350-8432)

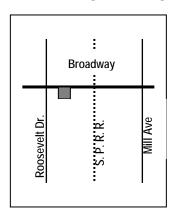
**REVIEWED BY:** Lisa Collins, Planning Director (480-350-8989)

LEGAL REVIEW BY: N/A FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions (1 – 28).

Store Setbacks

**ADDITIONAL INFO:** 



Gross Site Area 1.578 acres (68,751.45 s.f.) Net Site Area 1.549 acres (67,490.33 s.f.)

Building area 4,449.61 s.f. store floor plus 6,493 s.f. fuel canopy

Lot Coverage 16 % (store and canopy area / net site area;

maximum 100% coverage allowed)

Building Height 29'-6" store and 22'-0" ft. fuel canopy (measure from

top of curb; 35'-0" maximum height allowed) +/- 170' front, 64' W side, 75' E side, 58' rear

Fuel Canopy Setbacks 59' front, +/- 49' W side, 49' E side, 168' rear Landscaped area 28% (landscape walkway and planting area / net

site area; minimum 10% coverage req'd.)

Vehicle Parking 18 spaces (store area / 300 s.f.: minimum 15 req'd.;

maximum 19 allowed without use permit)

Bicycle Parking 5 spaces (store area / 1,000 s.f.: minimum 5 req'd.)

The applicant is before the Commission requesting approval of a site redevelopment including a convenience store with freestanding fuel dispensing station canopy. Included in the request is a Use Permit to allow the convenience store and fuel dispensers in the General Industrial district. These structures will replace an existing restaurant (The Black Angus). Existing parking and landscape is also proposed to be removed and replaced.

A neighborhood meeting is not required with this request.

#### CONTENTS:

- 1. List of Attachments
- 2-3. Comments / Reasons for Approval
- 4-8. Conditions of Approval
  - 9. History & Facts / Zoning & Development Code Reference

#### **ATTACHMENTS:**

- A. Location Map
- B. Aerial Photos (2 pages)
- C. Letter of Explanation (4 pages)
- D. Site Plan sheet P-1
- E. Grading & Drainage Plan, sheet C-1
- F. Store Floor Plan, sheet A 1.1
- G. Store Front (north) & Side (east) Elevations, sheet A 2.1
- H. Store Rear (south) & Side (west) Elevations, sheet A 2.2
- I. Fuel Canopy Elevations, sheet A 3
- J. Building Sections, Option 1 sheet A 4.1
- K. Building Sections, Options 2 & 3, sheet A 4.2
- L. Landscape Plan, sheet L-1
- M. Plant Inventory Salvage Plan, sheet L-2
- N. Color Elevations (2 pages)

#### COMMENTS:

#### **Project Design Overview**

The proposal consists of a  $\pm$ /-4,500 s.f. convenience store, including electrical room, and a 6,493 s.f. freestanding canopy that shelters twenty fuel dispensers. There are ten stations and each station is double loaded. The site follows a standard layout where the covered north-south drive aisles for the fuel stations are in front, the convenience store, facing each fuel station drive aisle, is behind, and the site is accessed by two driveways that allow vehicle circulation around the canopy to a single row of entrance parking in front of the store.

#### **General Plan**

This industrial district is bounded by the Southern Pacific Railroad to the east, Broadway to the north, Southern to the south and Priest to the west. As the city has matured, General Plan 2030 has modified the edges of this district to provide commercial use that serves the surrounding general populace and at the same time provide a buffer for the remaining industrial use. The area on Broadway which includes this site is one of the commercial districts as designated by General Plan 2030.

#### **Use Permit**

A Use Permit is required to operate a convenience store and fuel station in the General Industrial District. The fuel station and convenience store is a drive-by service provider rather than a destination and will service existing vehicular traffic on Broadway, rather than substantially increase traffic. As mentioned in the preceding paragraph, the General Plan designates this property as part of a commercial corridor, which comfortably fits the intended use of the site. A neighborhood meeting is not required for the Use Permit request and was not held for this proposal. The site was posted with an advertisement of the Development Review Commission hearing on April 20 & notifications to adjacent property owners were mailed on April 23.

#### Design

The store is a single story rectilinear box, with concealed roof behind parapet. The building parapet height as measured from the top of curb in the center front of the property is approximately 29'-6", while the canopy height is approximately 22'-0". The building and canopy feature brand colors and corporate logo. The entrance parapet is raised to support the company red and white color band and the trademark logo. The logo is directly over the entrance in the center of the north elevation. The façade is symmetrical. Merchandise windows extend part way to the northeast and northwest from the center entrance. The entrance parapet is pushed forward to provide a rain cover for the entrance walkway. The building elevations are simply composed of a lightly machine-stippled texture exterior plaster surfaces, with a beige field color punctuated with small window indents, and two accent colors. The exterior plaster is supported with a flashed dark red brick water table. This masonry element shows up again in the site screen walls (by condition) and the canopy column bases.

#### **Public Safety**

The site layout allows ample natural visual surveillance from the front of the store to the fuel pumps and the various user activities including bike and vehicle parking, air and water stations, and public phones. The retention area to the rear of the store, where there is no natural surveillance, is secured from public access. The facility is never closed; employees are always on site. Natural surveillance is reinforced with security camera monitoring. The applicant indicates the monitoring is remote as well as on-site.

The Tempe Police Department Crime Prevention Unit has assembled a report addressing security concerns and recommendations for this project. This report has been forwarded to the applicant. A Security Plan is required for the Convenience Store.

The Tempe Fire Department will access the site with emergency vehicles via Broadway. The site design demonstrates the ability of emergency vehicles to negotiate through the site and access the parking / activity area and the store itself.

#### Conclusion

Approval of the Use Permit request will allow the site to be re-developed along a service/commercial line, in conformance with the General Plan projected land use for this site, but without a Zoning Map Amendment.

Approval of the Development Plan, including the site plan, building elevations and landscape plan will allow a dormant site to be put back into service for the community.

#### **REASONS FOR APPROVAL:**

- 1. The proposal meets the General Plan Projected Land Use for this site.
- 2. The development will meet the standards required under the Zoning and Development Code.

# ZUP07036 and DPR07054 CONDITIONS OF APPROVAL

EACH NUMBERED ITEM IS A DESIGN CONDITION OF APPROVAL. DEVELOPMENT REVIEW COMMISSION MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS. THE BULLET ITEMS REFER TO EXISTING CODE OR ORDINANCE THAT PLANNING STAFF OBSERVES ARE PERTINENT TO YOUR CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT. THE BULLET ITEMS ARE NOT AN EXHAUSTIVE LIST.

#### General

- 1. Your drawings must be submitted to the Development Services Building Safety Division for building permit by **May 8, 2008** or Development Plan approval will expire.
- Verify all comments by the Public Works Department, Development Services Department, and Fire
  Department given on the Preliminary Site Plan Reviews dated December 20, 2006 and February 21,
  2007. Direct questions related to specific comments to the appropriate department. Coordinate
  modifications with concerned parties during building plan check process. Planning staff reviews
  construction documents as part of the building plan check process to ensure consistency with the
  Development Plan and Use Permit approval.
- Under an agreement between the City of Tempe and the State of Arizona, Water Conservation Reports are
  required for landscape and domestic water use for this project. As applicable, have the landscape architect
  and the mechanical engineer prepare reports and submit them with the construction drawings during the
  building plan check process. Report example is contained in Office Procedure Directive # 59, available from
  Building Safety (480-350-8341). Contact Water Resources (pete\_smith@tempe.gov) if there are any
  questions regarding the purpose or content of the water conservation reports.
- The project site does not have an Archaeologically Sensitive designation. However, State and Federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Where such a discovery is made, contact the Arizona State Historical Museum (520-621-6302) for removal and repatriation of the items. Contact the Tempe Historic Preservation Officer (joe\_nucci@tempe.gov) if questions regarding this process.
- Security Requirements:
  - Design building entrances to maximize visual surveillance of vicinity. Limit height of walls or landscape materials, and corners to discourage ambush opportunity. Distances of at least 20'-0" between a pedestrian path of travel and any hidden area allow for increased reaction time and safety.
  - Follow the design guidelines listed under appendix A of the Zoning and Development Code. In particular, reference the CPTED principals listed under A-II Building Design Guidelines (C) as they relate to the location of pedestrian environments and places of concealment. To the greatest extent possible, follow the recommendations listed in Tempe Police Officer Pittam's report, published December 20, 2006 and included in the Site Plan Review mark-up packet. Contact the Crime Prevention Unit of the Police Department (derek pittam@tempe.gov) if questions.
  - The Owner is required to prepare a security plan for this commercial project with the Police Department. Include the design team in the preparation of the plan to verify any modification that would require design revisions. To avoid revisions to permitted construction documents, the first meeting with the Police Department regarding the security plan is recommended before building permit is issued. At a minimum, the Owner shall contact the Police Department to begin security plan process approximately eight weeks prior to receipt of certificate of occupancy.
  - If required by the Security Plan, have management contact the Police Department prior to Certificate of Occupancy to be included in the "Operation Notification" crime prevention program.
- Process liquor sales license for Beer and Wine through City of Tempe Sales Tax & License. Direct questions regarding this process through Sales Tax and License, kay savard@tempe.gov.

Specific requirements of the Zoning and Development Code are not listed as a condition of approval, but will apply to any application. To avoid unnecessary review time, and reduce the potential for multiple plan check submittals, it is necessary that the design team be familiar with the Zoning and Development Code (ZDC), which can be accessed through <a href="https://www.tempe.gov">www.tempe.gov</a>, to 'Tempe in Touch', to 'Government', to 'Documents' and to 'Zoning and Development Code', or purchased at Development Services.

#### Standard Details:

- Tempe Standard "T" details may be accessed through www.tempe.gov/engineering or purchased from the Engineering Division, Public Works Department.
- Tempe Standard "DS" details for refuse enclosures may be accessed through www.tempe.gov/tdsi/bsafety or may be obtained at Development Services.

#### Site Plan

- 2. Modify site layout at northwest property corner to save existing Acacia salicina at that location in place and at same time separate the proposed west driveway from adjacent hotel driveway, in conformance with Engineering Standards. Adjust location of entrance walkway, west driveway and north retention basin as needed to protect and maintain the root system and ensure the continued health of this tree.
- 3. Provide freestanding site walls of exposed masonry. Match the masonry of site walls, including refuse enclosure, parking screen wall, monument sign base and perimeter walls (if any), to flashed red clay masonry of building water table and canopy column bases.
- 4. Move the vendor parking area slightly west so the west curb aligns with the landscape island east curb that is northeast of the store. Do not increase the width of the vendor parking. Instead, move the east vendor parking curb and the west wall of the refuse enclosure west to allow a more straight access to the refuse container. At the same time widen the enclosure and the planting area to the south of the enclosure.

#### 5. Fence/gate notes:

- a. Extend the back yard 8'-0" high steel vertical picket fence on the east side of the vendor parking to the southwest corner of the refuse enclosure in order to secure the planting area behind the refuse enclosure.
- b. Provide 8'-0" high steel vertical picket gate or removable panel over sewer easement at southeast property corner, same as at southwest property corner.
- c. Provide 8'-0" high masonry wall at south and east sides of refuse enclosure. The west enclosure wall may be 6'-0" high.
- d. Gates at refuse enclosure are not required. If they are included as indicated, provide minimum 6'-0" high gates of a tight steel mesh design that do not facilitate climbing but allow visual surveillance through gate when up close.
- e. The east, west and south perimeter of the secure back yard may be 8-0" high steel vertical picket fence in lieu of 8'-0" high masonry.
- f. The east and west perimeter that is north of the secure back yard is 8'-0" high steel vertical picket fence as indicated, except reduce the height of the fence to 4'-0" within the 25'-0" front yard setback.
- g. Work with adjacent property owners and to greatest extent possible, remove low perimeter masonry walls adjacent to this property so these walls are not used as steps to enter the site.
- 6. Locate pay phones on the west property line adjacent to the walkway that connects the store entrance with Broadway Road. Position phone bank approximately in line with south fascia of fuel canopy so the phones can be viewed from the store entrance.
- 7. Provide the monument sign on a masonry base rather than a pole sign. Coordinate the layout of the masonry base with the retention basin layout.

- 8. Provide upgraded paving at each driveway apron consisting of unit paving that matches or closely resembles the exposed masonry of the building and site walls. Cast in place, stamped concrete is not acceptable. Extend unit paving in the driveway from the back of the accessible public sidewalk bypass to 20'-0" on site and from curb to curb at the drive edges.
- 9. Provide 8'-0" wide public sidewalk along Broadway as required by Traffic Engineering Design Criteria and Standard Details. The current sidewalk is 4'-0" wide with a 2'-0" width extension. These segments are uneven; remove existing sidewalk and install an 8'-0" wide sidewalk that does not have joints parallel to the street curb.
- 10. Place exterior, freestanding reduced pressure and double check backflow assemblies in premanufactured, pre-finished, lockable cages (one assembly per cage). If backflow prevention or similar device is for a 3" or greater water line, delete cage and provide a masonry or concrete screen wall following the requirements of Standard Detail T-214.
- 11. Finish utility equipment boxes in a neutral color (subject to utility provider approval) that compliments the coloring of the building. Do not paint over instructional or warning decals on the equipment boxes.
- Fire Department issues (jim\_walker@tempe.gov):
  - Verify fire lane of 20 ft. width with adequate turn radii (45 ft. outside and 25 ft. inside) exists in the four drive aisles around the canopy. Indicate the fire lane outline on the site plan.
  - Do not overhang the fire lane with any cable or device (security light, mature tree canopy, etc.) that is less than 14'-0" above paving.
  - Locate Fire Department Connection on main entrance side of store. Location subject to approval by the Fire Department.
- Locate freestanding security lights away from landscape islands so they do not conflict with existing or proposed tree locations.
- Provide 100 year on-site storm water retention with provision for ground water protection from fuel spills.
- Underground utilities. Coordinate site layout with utility providers and modify easements if necessary to satisfaction of utility providers.
- Clearly indicate property lines, the dimensional relation of the building and canopy to the property lines and separation of the building and canopy from each other.
- By separate instrument, dedicate 5'-0" of property adjacent to Broadway to provide a 55'-0" wide Broadway Road half street. A re-plat of the property is not required.
- Verify location of any easements, or property restrictions, to ensure no conflict exists with the site layout or foundation design.
- For refuse enclosure, construct walls, pad and bollards for container enclosure in conformance with Standard Detail DS-116. Gate pair for refuse enclosures is not required. If gates are provided, do the following:
  - The property manager must arrange for gates to be open from 6:00am to 4:30pm on collection days.
  - Mount gates so they do not decrease the width of the enclosure mouth.
  - Gates in full open position must swing greater than 90 degrees and have a cane bolt or other hold open mechanism.

#### Driveways:

- Construct driveways in public right of way in conformance with Standard Detail T-320. Driveway width may not exceed 40'-0".
- Indicate adjacent off-site existing driveways to east and west of site. Back to back driveways (as at northwest site corner) are not allowed; full curb height with a landing is required between adjacent driveways.
- Correctly indicate clear vision triangles at both driveways on the site and landscape plans. Identify speed limit for Broadway Road at the site frontage. Begin sight triangle in driveways at point 15'-0" in back of face of curb. Consult "Corner Sight Distance" leaflet, available from Development Services Counter or from John Brusky in Transportation (480-350-8219) if needed. Do not locate site furnishings, screen walls or other visual obstructions over 2'-0" tall (except canopy trees are allowed) within each clear vision triangle.

#### Parking spaces:

- Verify conformance of accessible vehicle parking to the Americans with Disabilities Act of 1990 (42 U.S.C.A. §12101 ET SEQ.) and the Code of Federal Regulations Implementing the Act (28 C.F.R., Part 36, Appendix A, Sections 4.1 and 4.6). Refer to Standard Detail T-360 for parking layout and accessible parking signs.
- Provide parking loop/rack per standard detail T-578. Provide 2'-0" by 6'-0" individual bicycle parking spaces. One loop may be used to separate two bike parking spaces. Provide clearance between bike spaces and adjacent walkway to allow bike maneuvering in and out of space without interfering with pedestrians, landscape materials or vehicles nearby.

#### Floor Plans and Sections

- 12. Restroom Security:
  - a. Lights in public restrooms:
    - 1) Provide 50% night lights
    - 2) Activate by key or remote control mechanism
- 13. Follow Option One building sections, which is a match to the presentation elevations.
- Service Door Security: equip service and exit doors (except to rarely accessed equipment rooms)
  with a 6" square high strength plastic or laminated glass window centered and mounted at 63" from
  the bottom to the center of the glazing.

#### **Building Elevations**

- 14. The colors indicated on the materials sample board do not agree with the colors as noted on the building elevations. Provide the materials and colors indicated on the 507 West Broadway Road materials sample board, received by Planning Division and date stamped March 22, 2007.
- 15. Provide main colors and materials with a light reflectance value of 75 percent or less. Specific colors and materials exhibited on the materials sample board are approved by planning staff. Submit any additions or modifications for review during building plan check process. During completion of the development, planning inspection staff will field verify colors and materials.
- 16. Two signs are allowed on the fuel canopy fascia, not three. Each sign may not exceed 6 s.f. and height of sign may not exceed 80 percent of the height of the canopy fascia.
- 17. The color banding on the fuel canopy fascia and on the north elevation of the store is considered a building accent element and not part of the sign area. Conform to the following for the color banding:
  - a. Wrap the color banding around the four sides of the fuel canopy fascia
  - b. Do not internally or externally illuminate the color banding on the fuel canopy or the store.

- 18. There is no door on the west elevation; coordinate the presentation elevations with the floor plan.
- 19. Provide secure access from the interior of the store to the roof. Do not expose roof access to public view.
- 20. Conceal roof drainage system within the interior of the store. Minimize visible, external features, such as overflows, and where needed design these to enhance the architecture of the store.
- 21. Incorporate lighting, address signs, incidental equipment attachments (alarm klaxons, security cameras, etc.) where exposed into the design of the store and fuel canopy so that the architecture is enhanced by these elements.
- 22. Exposed conduit, piping, etc. is not allowed unless a creative conduit surface design that compliments the architecture is reviewed and approved by the Development Review Commission.
- Measure height of building and canopy from top of curb on Broadway Road opposite the center of the front of the property.

#### LIGHTING:

- 23. Provide the following continuous illumination levels from dusk to dawn (this clarifies illumination levels for areas not specifically described in ZDC Part 4 Chapter 8):
  - a. limit light on paving surface under canopy to maximum 40.0 foot-candles.
  - b. illuminate building entrance and exit side doors with minimum 5.0 foot-candles.
  - c. illuminate the electrical service entrance section room door pair with minimum 2.0 foot-candles.
  - d. illuminate the vendor parking with minimum 4.0 foot-candles, similar to a loading zone.
  - e. illuminate the public pay phone area with minimum 5.0 foot-candles.
- Follow requirements listed in the ZDC Part 4, Chapter 8 and in the guidelines listed in the ZDC under Appendix E "Photometric Plan."

#### LANDSCAPE:

24. Incorporate the lone existing Acacia salicina at the northwest site corner into the landscape plan. Expand site landscape work description to include husbandry of this tree throughout construction period. Refer to **Site Plan** condition above that requires adjustment of site plan to save this tree. The other trees in the frontage and on site may be destroyed to make way for the site re-development. Completely remove these plants and any stumps on site or in frontage. Do not disturb existing off site plant material to the south of this re-development or elsewhere.

#### 25. Irrigation notes:

- a. A dedicated landscape water meter is recommended (not required). Consider re-use of existing water meter with irrigation dedication if another domestic water meter is installed with this site re-development.
- b. Provide pipe distribution system of buried rigid (polyvinylchloride), not flexible (polyethylene). Use of schedule 40 PVC mainline and class 315 PVC ½" feeder line is acceptable. Class 200 PVC feeder line may be used for sizes greater than ½" (if any). Provide details of water distribution system.
- c. Locate valve controller in a vandal resistant housing.
- d. Hardwire power source to controller (a receptacle connection is not allowed).
- e. Controller valve wire conduit may be exposed if the controller remains in the Service Entrance Section room, as indicated. Conceal the conduit if the controller is mounted outside.
- 26. Include requirement in site landscape work to de-compact soil in planting areas on site and in public right of way and remove construction debris from planting areas prior to landscape installation.

- 27. Top dress planting areas with a 2" thick uniform application of decomposed granite, as indicated. Provide pre-emergence weed control application, as indicated, and do not underlay rock or decomposed granite application with plastic.
- Indicate the location of all exterior light fixtures on the site, landscape (and photometric) plans. Avoid conflicts with lights in order to maintain illumination levels for exterior lighting.
- Follow requirements of ZDC Part 4 Chapter 7 and the guidelines listed in the ZDC under Appendices B and C "2" and 3" Plant List."

#### Signage:

- 28. For this facility, provide one address sign on each side of the masonry base of the monument sign and five address signs on the store. For the locations of the address signs on the store elevations, refer to the Site Plan Review mark-up, dated February 21, 2007. Conform to the following guidelines for address signs on the store and the base of the monument sign:
  - a. Halo illuminate the address signs.
  - b. Provide street number only, not the street name.
  - c. Compose of 12" high, individual mount, metal reverse pan channel characters.
  - d. Adjust locations so sign is unobstructed by trees, vines, etc.
  - e. Do not affix another number or a letter that might be mistaken for the address number.
- Follow requirements of ZDC Sec. 4-903 (A) for address sign illumination and background contrast requirements.
- Obtain sign permit for any building mount or monument identification signs including the two canopy signs, changeable copy (price) on the monument sign and halo illuminated address signs. Directional signs (if proposed) may not require a sign permit, depending on size. Pump topper signs do not require a permit but must conform to the restrictions of the ZDC. Directional and Pump Topper signs are subject to review by planning staff during plan check process. Follow ZDC Part 4 Chapter 9 with the design of the signs.

#### **HISTORY & FACTS:**

August 26, 1974

Board of Adjustment approved the request of BLACK ANGUS RESTAURANT for the following in the I-1, Garden Type Industrial District.

- a. Use Permit to operate a restaurant in the I-1 District
- b. Variance to reduce the required 30 foot front yard setback to 25 feet.
- c. Variance to reduce the required parking spaces from 143 to 136.

Note: There were seven conditions of approval. Condition # 1 included in part "To include 55 foot half street dedication on Broadway Road prior to occupancy". This condition was not fulfilled.

September 4, 1974

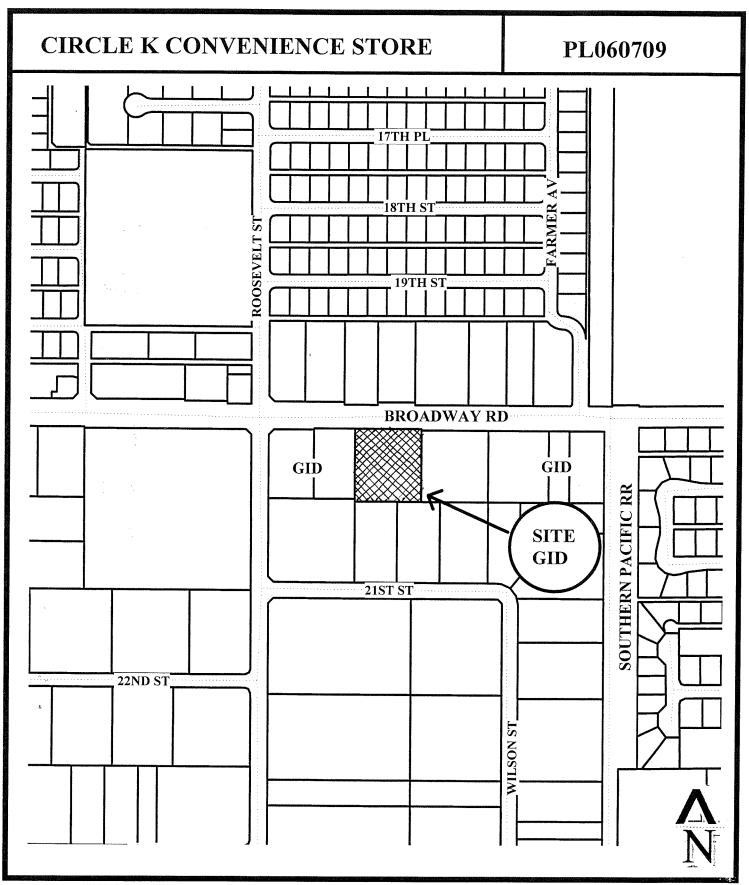
Design Review Board approved the building elevations, site plan, landscape plan and sign for BLACK ANGUS RESTAURANT located at 507 W. Broadway Road in the I-1, Light Industrial District. There were six conditions of approval.

September 14, 1974 Board of Adjustment approved the request of BLACK ANGUS RESTAURANT for a variance to permit a frame constructed building instead of a masonry building in the I-1, Garden Type Industrial District. There were no conditions.

#### ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-306, Development Plan Review Section 6-308, Use Permit





**Location Map** 



CIRCLE K STORE (PL060709)



CIRCLE K CONVENIENCE STORE (PL060709)

### LAW OFFICE OF DAVID CISIEWSKI, PLLC

North Tatum Blvd, Suite Phoenix, AZ 85028

Telephone: 602.953.8729 Facsimile: 602.997.9807 Email: dclawpllc@cox.net

March 1, 2007

**Development Review Commission** City of Tempe 31 East 5<sup>th</sup> Street Tempe, Arizona 85280-5002

RE:

Letter of Explanation Proposed Circe K Store 507 West Broadway Tempe, Arizona

To the Commissioners:

Pursuant to the requirements for Development Plan Review and Use Permit approval, I am forwarding this Letter of Explanation for the referenced project.

The proposed development includes the demolition of an abandoned retail building and the construction of a new Circle K retail convenience grocery store. The proposed store is a new design for a long-standing company as part of the company's "re-imaging" of the Arizona market. The proposed development will include the construction of an approximately 4,500 s.f. retail building along with a ten (10) position canopied fueling facility. The site development plans include generous landscaping and significant architectural features on both the building and canopy.

### **Development Plan Review Criteria:**

- Building Placement & Design: 1.
  - Shade The proposed site plan features an approximately 28 foot tall a. building constructed of masonry and stucco finishes. A canopy, composed of masonry and stucco materials, is proposed over all fueling positions. These structures are design not only to architecturally enhance the facility but to provide significant shade to the customers. Additionally, concrete paving is proposed for the entire parking area to provide maximum reflective value of sunlight and limit heat absorption common with asphalt parking areas.
  - Materials The building shall be constructed of a lower course of CMU b. block with the main portion of each exterior building being constructed of Stucco over rigid insulation. The canopy columns are design of similar materials to accomplish both architectural harmony and long last quality.

- c. <u>Building Scale</u> The scale of the building has been designed to accommodate the necessary size to provide a wide variety of goods and services to the customers while still maintaining a small-scale retail presence so as to fit within the context of the site and surrounding area. The building covers less than 6.5% of the entire area of the parcel.
- d. <u>Building Masses</u> The buildings mass along the exterior walls has been lessened by the placement of vertical block at each corner of the structure and integrated into the block wainscot which forms the lower portion of all exterior walls. Additionally, a tiered entrance feature has been placed over the front of the building to add vertical and horizontal relief to the structure.
- e. <u>Building Form</u> The building is design to provide a definitive break between the basic form of the structure at its entrance to provide a focus the attention upon the main entry of the building. The roof lines have been designed with architectural enhancement to provide an attractive visual perception.
- f. Building Facades The façade of the building has been designed to incorporate a number of architectural elements to provide both vertical and horizontal relief, including wainscoting along the base of all exterior walls, vertical columns and a protruding façade over the main entrance to the building. Additionally, ample glass across the front of the building allows for a clear line-of-sight to all areas of the parking lot and fueling area by store personnel.
- g. <u>Special Treatment</u> The building and canopy include a number of special features, both in terms of smooth material and soft colors to provide a very aesthetically pleasing facility from the streetscape. Some of these features include a desert color palette accented by glazed tile to provide relief across the expanse of the exterior walls. Additionally, the perimeter of the property will surrounded by an eight (8) foot highs masonry wall for security and aesthetic quality.
- h. <u>Utilities</u> All utility lines serving the new store either are or will be placed underground as part of the development.
- i. <u>Lighting</u> The development will contain ample lighting to provide safety and security to store personnel and customers. The lighting is provided both by individual parking lot lights and the fully recessed lights under the canopy.
- j. <u>Accessibility</u> The proposed facility is fully compliant with current ADA requirements and provides accessible parking spaces immediately in front of the main building entrance.
- k. <u>Transit</u> The facility provides two (2) access drives onto Broadway Road to allow convenient and safe turning movements to for vehicular traffic. Additionally, the development will provide for the dedication of additional right-of-way requested by Tempe as well as a public utilities easement across the entire frontage of the property.

- 1. <u>Vehicular Circulation</u> The parking and fueling areas are designed with sufficient surface area and ample parking spaces to provide each and every customer with sufficient paved area to maneuver their vehicles as well as provide easy access to the store from the public roadway for those pedestrians.
- m. <u>Bicycle Circulation</u> The facility is designed to provide bicycle parking near the main entrance to the building and immediately adjacent to the sidewalk to all those customers on bicycles to safely access the store without being in direct conflict with any motor vehicles.
- n. <u>Crime Prevention</u> The facility has been designed in accordance with Tempe's crime prevention policies and includes extensive glass across the store front to allow viewing of the parking lot from within the store as well as viewing of activities inside the store from the parking lot and Broadway Road. Additionally, several security cameras are located around the facility to provide additional monitoring of store activities. The development will also include an eight (8) foot high masonry wall surrounding the property accompanied by wrought iron fencing to secure those areas with limited visibility.
- o. <u>Landscaping</u> The site design incorporates significant landscape features including ample trees and shrubs, both in large landscaped areas at the front and rear of the store as well as within landscape islands in the parking area.
- p. <u>Lighting Compatibility</u> the proposed facility utilized flush-mounted lights under the canopy to maximize lighting upon the fueling area but minimize the impact of light spreading onto adjoining properties. Additionally, perimeter lights at the facility will direct the light source toward the interior portions of the site and away from adjoin properties.

2. Signs:

Although signage for the facility will be reviewed and approved under a separate permit application, it is the intention of the developer that all signage will conform to the requirements of the City of Tempe. The signs on the building and canopy have been designed to be proportionally in size to the façade of the structure while still providing ample contrast and visibility for the customer. Additionally, the freestanding monument sign along the Broadway Road frontage will be designed to architecturally blend with the balance of the development.

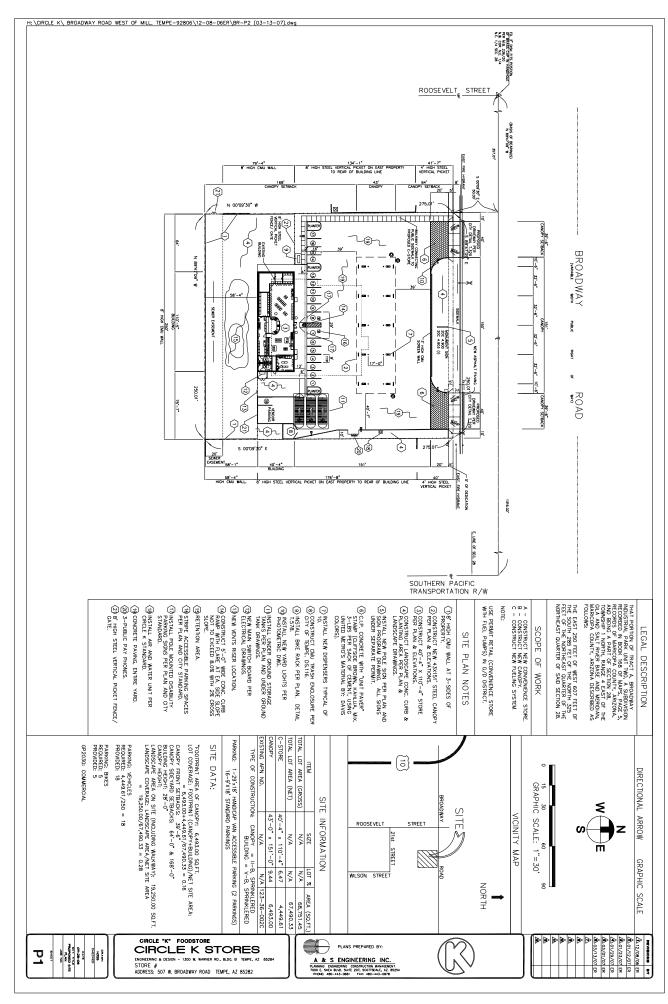
#### **Use Permit Criteria:**

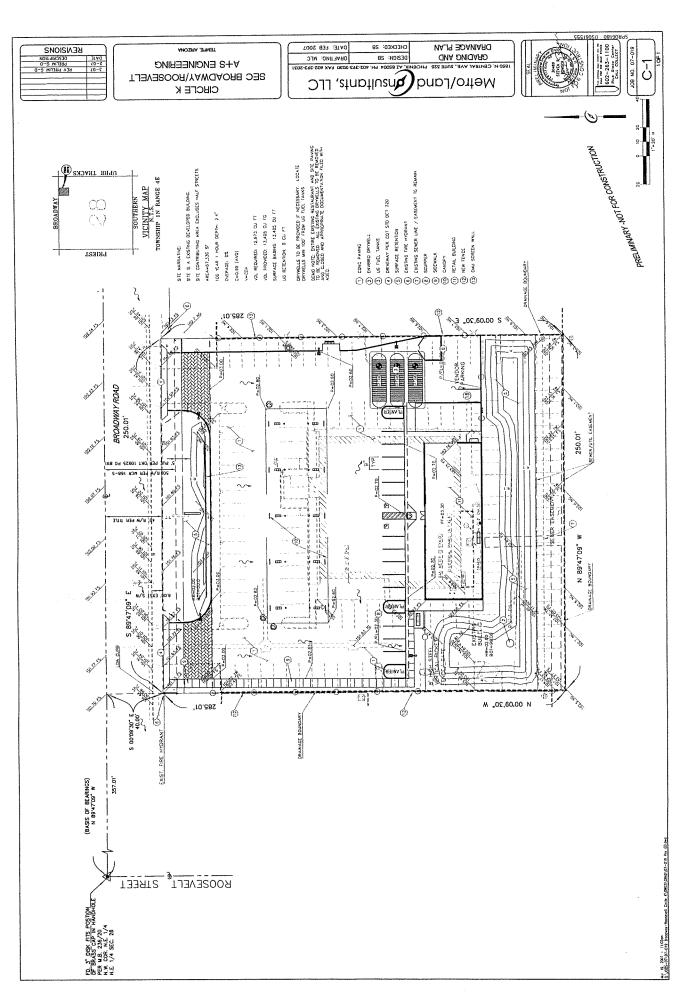
The proposed facility will be a retail convenience grocery store with an automotive fuel facility. The retail store will include a variety of immediately consumable foods and drinks as well as grocery staple items to accommodate the convenience needs of the customer. The fuel facility will provide ten (10) fuel dispensing units to service the automobile fuel needs of the local community. The facility will operate 24-hours per day, 7 days per week to provide for the convenience needs of the community and will generally be operated by two to three employees.

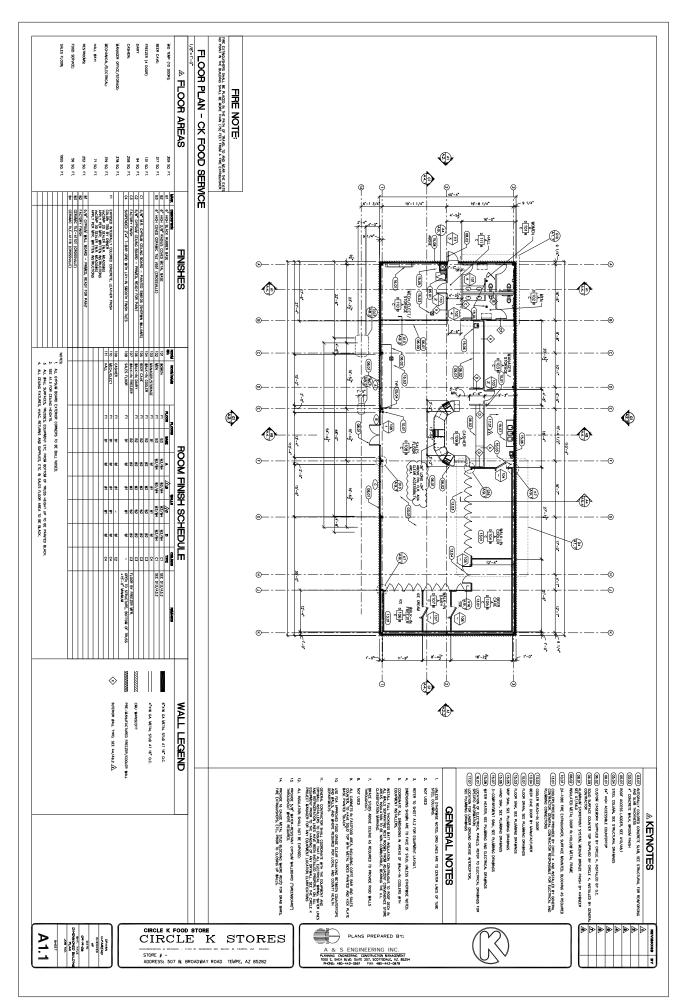
- a. <u>Traffic</u> The proposed facility is designed to service the needs of the consumer in the immediate area of the store and act as a "drive-by" service provider and not a "destination" use. Traffic entering and existing the facility will be that normally traveling along Broadway Road and no material increase in traffic will be generated due to this facility. Additionally, since the store only allows access to Broadway Road, there will be no impact on the roads within the surrounding neighborhoods.
- b. <u>Nuisance</u> The new facility includes state-of-the-art pollution prevention and monitoring devices to protect the community and the environment for any problems associated with gasoline distribution. These extensive protective measures will control and eliminate any possible threat or nuisance.
- c. <u>Neighborhood Impact</u> The property is currently zoned GID and the proposed retail development is an allowed use within this zoning district. The property is currently occupied by a closed retail business and the property is in state of disrepair. The new store will bring an architecturally enhanced building, extensive landscaping and vitality to an now dormant property.
- d. <u>Compatibility</u> The property is located along Broadway Road in a highly dense retail and industrial area of the city. The proposed use, as a retail convenience grocery store, will blend harmoniously with the other retail and industrial uses in the area and offer a type and quality of consumer goods now lacking in the immediate trade area.
- e. <u>Public Disruption</u> The store will be operated by trained and qualified personnel at all times. Additionally, security monitoring both inside and outside of the store will provide constant monitoring of all actives on the property. Further the design of the facility is such that any areas of the property that may have been conducive to loitering have been eliminated and it is the policy of the store operator to take all necessary actions to prevent loitering or other nuisance actives on the property.

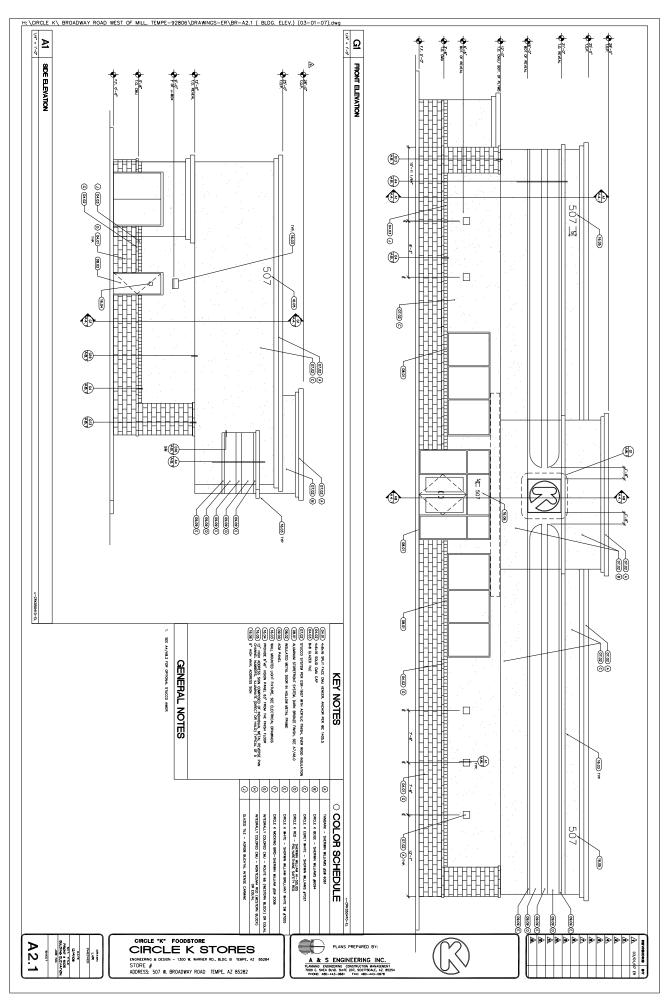
The above narrative is provided to offer a thorough understanding of the new farcicality in terms of site design, architecture and the operational characteristics of the store.

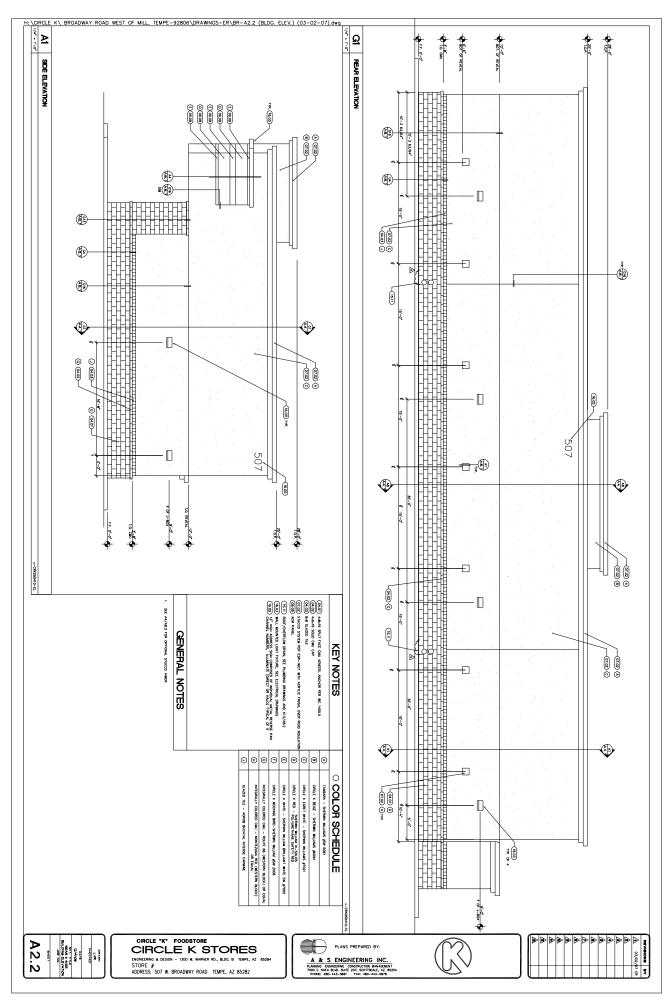
Sincerely,
David Cisiewski, Esq.

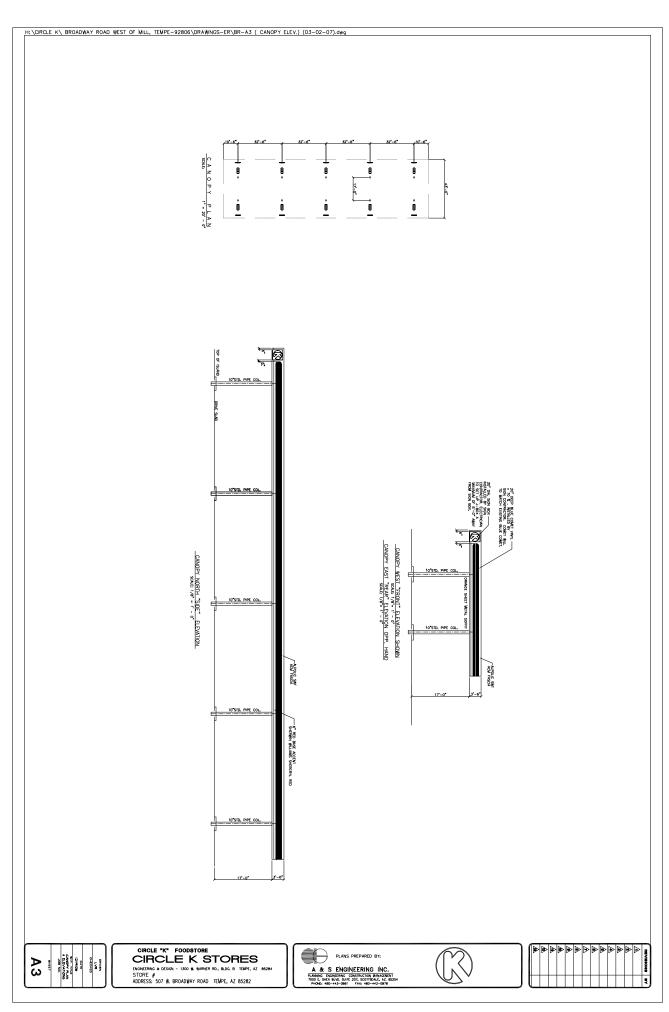


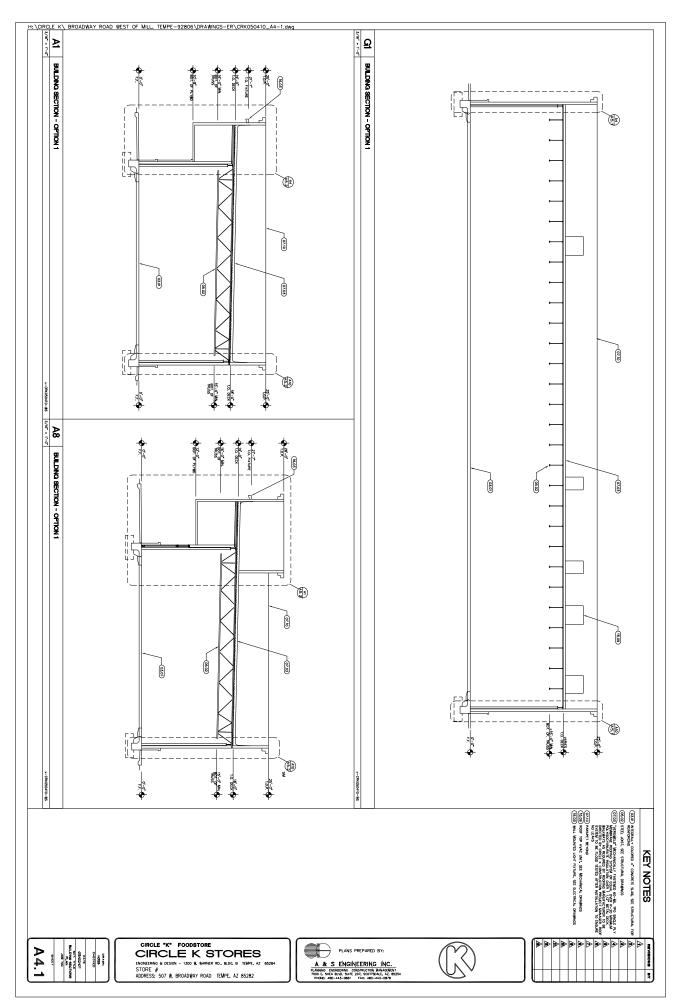


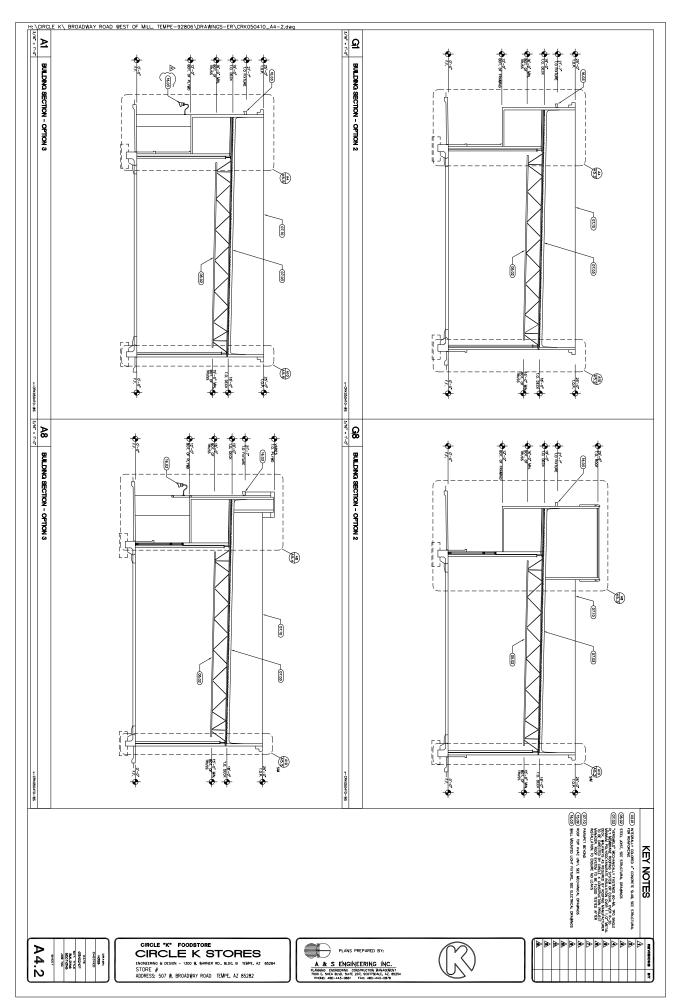


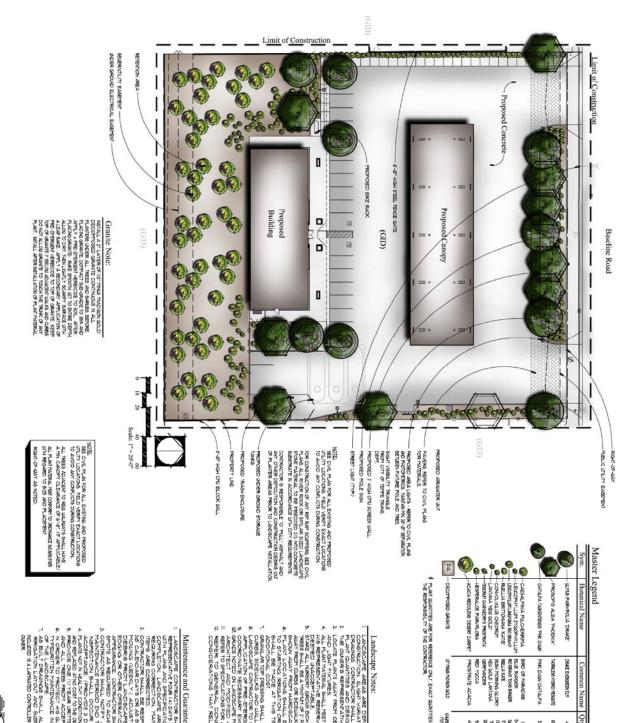












C' HNIS HOBOX GOLD

MNG

SEE NOTE, THIS SHEET

L AND BUSHY

LACIDISAME AREA ARE DENED AS ALL NON-PALED AREA DISTRETORY
CONSTRUCTION, SILVEN VALUATIONS HAVE DISTRETORY ON SITE CARRIED OF NATIONAL
PLANT CALARITIES AND DESIGN VIEW.

1. THE OWNERS REPRESENTATIVE IS TO APPROVE MAY AND ALL SUBSTITUTIONS.
1. COCATE PLANTS:
1. THE OWNERS REPRESENTATIVE IS TO APPROVE MAY AND ALL SUBSTITUTIONS.
1. COCATE PLANTS:
1. THE OWNERS REPRESENTATIVE IS TO APPROVE MAY AND ALL SUBSTITUTIONS.
1. COCATE PLANTS:
1. THE PLANT HAVE PLANTS:
1. THE PLANTS:
1. THE PLANT HAVE PLANTS:
1. THE PLANTS:
1. THE PLANT HAVE PLANTS:
1. THE PLANTS:
1. THE PLANTS:
1. THE PLANT HAVE PLANTS:
1. THE PLANTS:
1. THE

I MODOLARI CONTRACTIONS BIALL NOTIFIC LADISCAPE AND HITECT ON CONTROL

WITH FRANCIAND SPECIFICATIONS TO RECURST AN INSPECIFICATION TO SECURITY

COPPLETION, LANDSLAFE AND HITECT SPECIFICATION TO SECURITY

RECURSOR CONTROLLED AND SPECIFICATION OF THE SECURITY SPECIFICATION OF T

AS BUILT DAMINGS SHALL ALSO BE PREPARED BY CONTRACTOR FOR ACTUAL RECOGNICY LAYOUT AND SUBSTITIED TO CHURE AT INAL MALK-THADUSH. ALSO MALDES IS A LAYBAIED CONTRACTOR SOCIETA ONTO NODE INE BOX BITS A COPY VALED TO THE

# preliminary landscape plan



PLANNING ENGINEERING CONSTRUCTION MANAGEMENT 207 W. ALANEDA, SUITE 203, BURBANK, CA. 91502 PHINE: 818-842-3644 FAX: 818-842-3760

A & S ENGINEERING INC.

## Circle 'K' Stores

507 W. Broadway Road

Wildwood Design Studio

BIRD OF PARADISE
BLIE RANGER
ROBRAND BUS RANGER
RELIU KATE
BUSH MORNING GLORY
NEW GOLD LINITANA

SANCOM SPACE N CLUSTERS AS SHOUN SPACE 30 CC, 27 RROTH HARDSCAPE SPACE 30 CC, 27 RROTH HARDSCAPE

DRAKE EVEKKEEN ELM

24" BOX 24" BOX

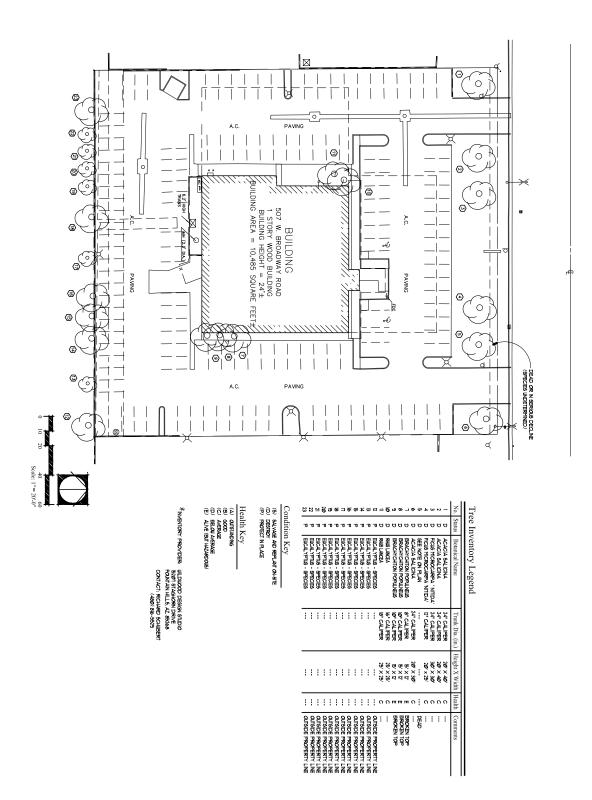
TALL WRIGHT, MLTH TRAK SUPPLES HIN STATES TALL WROHT, IELL DEVELOPED BRANCHIK STRUCTURE O'NINTA'S 80° HEIGHT, 3,0° MIDE, 125° CALIFER)

TALL, UPRIGHT, STANDARD (T'-0" TALL, 4'-0" WDE, 125" MIN CALIFER

24" BOX

15207 Staghorn Drive Fountain Hills, AZ. 85268 Phone (480) 816-5529 Fax (480) 837-5104 E-Mail wildwooddesign@cox.net







A & S ENGINEERING INC.
PLANNING ENGINEERING CONSTRUCTION MANAGEMENT
207 W. AL. AMEDA, SUITE 203, BURBAWK, CA. 91502
PHONE: 818-842-3644 FAX: 818-842-3760

#### inventory/salvage plan





## Circle 'K' Stores

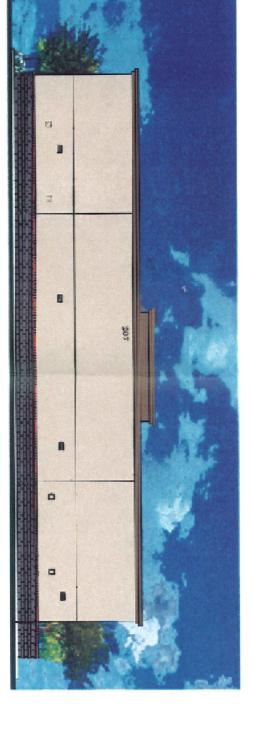
507 W. Broadway Road Tempe, Arizona Wildwood Design Studio Landscape Architects 15207 Staghorn Drive Fountain Hills, AZ. 85268 Phone (480) 815-5529 Fax (480) 837-5104 E-Mail wildwooddesign@cox.net







SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION









